



# Department of Justice

**United States Attorney David L. Huber  
Western District of Kentucky**

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CONTACT: SANDY FOCKEN  
PHONE: (502) 582-5911  
FAX: (502) 582-5097

## **BOWLING GREEN COUPLE PLEADS GUILTY TO TRYING TO COVER UP CRACK COCAINE DISTRIBUTION**

*– Fadz 4 Dayz Barber Shop Case*

BOWLING GREEN, KY - Albert Ferguson, age 37, and his wife Benita Ferguson, age 39, of Bowling Green, Kentucky, in Warren County, pled guilty to being accessories after the fact regarding the possession with intent to distribute five grams or more of cocaine base, commonly referred to as “crack” cocaine, David L. Huber, United States Attorney for the Western District of Kentucky, and Paul Vido, Special Agent in Charge of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Louisville Field Division, jointly announced today. Albert Ferguson pled guilty today. His wife, Benita Ferguson, pled guilty on July 23, 2007.

According to the Fergusons’s plea agreements filed in open court, on or about February 17, 2006, law enforcement officials executed a search warrant on Benita and Albert Fergusons’s residence located in Bowling Green, Kentucky. They seized 17.4 grams of crack cocaine from a lock box located underneath the Fergusons’s bed. The crack cocaine had an estimated street value of \$1,000.00. Law enforcement officials also seized digital scales covered in a white powder, suspected to be cocaine, from the bedroom.

That same day, Benita Ferguson went to the Bowling Green Police Department. She stated that she wanted to talk to someone about the search warrant. While talking to law

enforcement officials about the search of her home and the seizure of the crack cocaine, Benita Ferguson stated that she had found the lock box at a construction site approximately two years before the interview. She further stated that she had brought the lock box home and placed it under her bed.

At the time Benita Ferguson made the statement to law enforcement officials, she knew that her brother, Richard Cox, owned the digital scales, lock box, and its contents, including the crack cocaine. Benita Ferguson knew that her brother, Richard Cox, kept items in the lock box because he often came to her home, placing items in and taking items out of the box. Richard Cox intended to distribute the crack cocaine. Benita Ferguson made the false statements to law enforcement in an effort to hinder or prevent the trial or punishment of Richard Cox for drug trafficking.

Additionally, the next day, February 18, 2006, Albert Ferguson contacted the Bowling Green ATF Office and asked to speak to a Special Agent. He left his cellular telephone number for a return call. A short while later, an ATF agent called Albert Ferguson and arranged a meeting between Albert Ferguson and law enforcement officials. Albert Ferguson traveled to the Bowling Green Police Department where he was met by law enforcement officials who advised him of his constitutional rights. Albert Ferguson told the law enforcement officials that the crack cocaine found in his bedroom did not belong to him. He told the officials that his wife, Benita, had found the lock box approximately one year ago at a construction site, had brought it home, and placed it under their bed. Albert Ferguson asked to call his wife to come to the police station. Approximately 15 minutes later, Benita Ferguson arrived and the two left.

At the time Albert Ferguson made the statement to law enforcement officials, he knew that his wife's brother, Richard Cox, owned the digital scales, lock box, and its contents, including the crack cocaine. Albert Ferguson knew that his brother-in-law, Richard Cox, kept items in the lock box because he often came to the home, placing items in and taking items out of the box. Richard Cox intended to distribute the crack cocaine. Albert Ferguson made the false statements to law enforcement in an effort to hinder or prevent the trial or punishment of Richard Cox for drug trafficking.

The maximum potential penalties are 20 years' imprisonment, a \$ 1,000,000.00 fine, and supervised release for a period of 3 years.

Assistant United States Attorney Jo E. Lawless prosecuted the case. The Bowling Green Field Office of ATF conducted the investigation in partnership with the Bowling Green / Warren County Drug Task Force, as part of ATF's mandated mission to reduce violent crime and other threats to public safety.

Benita Ferguson entered her plea before Thomas B. Russell, Judge, United States District Court, Bowling Green, Kentucky. Albert Ferguson entered his plea before E. Robert Goebel, Magistrate Judge, United States District Court, Bowling Green, Kentucky.

Ten individuals were indicted in May 2006 in connection with this case. Corey Ferguson was found guilty June 12, 2007, by a federal jury in United States District Court, Bowling Green, Kentucky, of conspiracy and aiding and abetting the distribution of 500 grams or more of cocaine. Co-defendants Richard Cox, Jerome Shanklin, Collin Carpenter, William Downey, Trevor Hampton, and Derrick Lander have all pled guilty to various drug-related charges. Corey Ferguson, Cox, Carpenter, Downey, Hampton, and Lander are awaiting sentencing. Co-

defendant Damon Nelson has advised the court, through counsel, of his intention to enter into a plea of guilty.

Both Albert and Benita Ferguson are scheduled to be sentenced before Judge Russell on December 4, 2007, at 12:00 p.m. in Bowling Green, Kentucky.

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